United Nations S/2004/581

Security Council

Distr.: General
21 July 2004

Original: English

Letter dated 20 July 2004 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General

On 13 July 2004, a letter from the Permanent Representative of Azerbaijan to the United Nations and an annex thereto (S/2004/562) regarding the forthcoming local self-governance elections in Nagorno-Karabakh were circulated as a document of the Security Council. In this respect, I should like to draw your attention to the following:

As in years past, regular local elections will be held in Nagorno-Karabakh on 8 August 2004. This is the most recent in a series of presidential, parliamentary and local elections held in Nagorno-Karabakh in the last 10 years.

Elections in Nagorno-Karabakh, like elections everywhere, are held with the intent to secure the self-governance of the population living within a certain territory. Popularly elected authorities become an important factor in the negotiation process and in implementing whatever agreements may be reached through negotiations. They are also an expression of the people's right to self-determination.

In 1992, at the Helsinki meeting of the Council of Ministers of the Conference on Security and Cooperation in Europe, the document that mandated the Minsk process referred specifically to Nagorno-Karabakh as a side to negotiations, represented by its elected authorities. The summary of conclusions of the additional meeting of the Council of Ministers reads: "Elected and other representatives of Nagorno-Karabakh will be invited to the [Minsk] conference as interested parties by the Chairman of the Conference after consultations with the States participating at the Conference." This is only the first of the countless times that Nagorno-Karabakh representatives are cited in various documents of the Organization for Security and Cooperation in Europe.

These elections, which have been held during military operations and in the period of the ensuing ceasefire, have legitimately engaged the population that remains on these lands. The absence of former Azeri inhabitants of Nagorno-Karabakh in no way delegitimizes these democratic processes. If this were true, then the fact that some half a million Armenians were forcibly removed or expelled from Azerbaijan (and in particular Baku and Sumgait) and no longer participate in elections there would mean that no Azerbaijani elections can be considered legitimate either.

Law and order are not just desirable but are also necessary for Nagorno-Karabakh, even if its final status is still undetermined.

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Elections do not adversely affect the negotiations and, at the same time, elections do not in any way legitimize the current status. The people of Nagorno-Karabakh deserve to be commended for being committed to democracy, human rights and the rule of law, despite continuing adverse social and economic conditions.

The international community might even consider sending observation missions and monitoring the elections to make sure that they correspond to international standards. This is the case in Kosovo and in other instances where the status issue is still pending.

Only with a popular mandate will the elected leaders of Nagorno-Karabakh be able to actively support negotiations that can lead to lasting peace.

I should be grateful if you would have the text of the present letter circulated as a document of the Security Council.

(*Signed*) Armen **Martirosyan**
Ambassador
Permanent Representative